

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

Minutes of

REGULAR MEETING

January 28, 2010

7:30 PM

Call to Order

The meeting was called to order by Mr. Bailey acting chair at 7:46p.m.

Attendance

Members of the Agency in attendance were:

Lamont R. Bailey

Albert E. Handy

Christopher A. Gioia

Rodney A. Caines

No Members were absent.

Agency staff present consisted of:

Neville G. Mullings, Executive Director

Joseph Santamaria, Assistant Director

Patrice P. Allen, Administrative Assistant

Andrew M. Hyman, In-house Counsel

Chair's Report

The Chair's Report consisted of the following:

Mr. Bailey welcomed Mr. Rodney A. Caines as a newly appointed Board member attending his first meeting.

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Minutes of Meeting Held on November 19, 2009

Upon the motion of Mr. Bailey, seconded by Mr. Handy, the minutes of the meeting held on November 19, 2009 were accepted. Mr. Caines abstained.

Executive Director's Report

The Executive Director's Report consisted of the following:

Community Development Block Grant ("CDBG") Program

The CDBG 35th Program Year allocation in the amount of \$1,062,888 was released to the Town. A public hearing will take place on February 2, 2010 at 1550 Franklin Avenue, Mineola N.Y. to discuss the 36th Program Year. The Nassau County Office of Housing and Intergovernmental Affairs ("OHIA") anticipates receiving \$15,550,500 in CDBG funds and \$3,526,000 in HOME Investment Partnership Program funds. Board Members were invited to attend.

The Agency's current chart of account balance as of 12 /31/2009 according to OHIA is \$2,299,677.

New Cassel Urban Renewal Plan

Mr. Mullings presented the following report:

Sites B and C - Messrs. Mullings and Santamaria met with Dominick Buffa of First Sterling Financial Inc. and the general contractor, Les Bluestone, and discussed startup and progress on these sites. Mr. Buffa informed them that the mechanics liens have been settled by The Bank of New York Mellon and the permits have been obtained. The pace of construction work is expected to increase in February 2010. Improvements at the sites have sustained some damage due to vandalism

Site D – A foreclosure action initiated by Bank of New York Mellon continues.

714 Prospect Avenue - The condemnees vacated the premises on October 17, 2009. The demolition of the single family dwelling on this site will be handled by the Town of North

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Hempstead Highway Department. The necessary documentation, including insurance are being obtained by the Agency and the Town.

UNCCRC Neighborhood Stabilization Projects - UNCCRC owns five single family dwellings in New Cassel. They are in the process of securing permits for the demolition of 898 Brush Hollow Road. They are partnering with United Way to undertake a Youthbuild project at 37 Maplewood Drive and 28 Arlington Street. They are also planning to issue a request for proposals for the rehabilitation of 272 Brook Street, and for a single family dwelling on Harper Street.

Site E – This project is a joint venture between Unified New Cassel Community Revitalization Corporation (“UNCCRC”) and The Sheldrake Organization. Nothing substantial has developed since the November 2009 Agency members’ meeting. Mr. Daley of Sheldrake has not obtained the term sheet or bank commitment to finance the development. He continues to ask for more time to deal with two banks which are looking at his loan request. Further discussion was deferred to a later time in the meeting.

Status of Other Redevelopment Sites

Mr. Santamaria delivered the following report on the status of the Agency’s other redevelopment sites:

Site A –A dental office consisting of 1,000 square feet is opening soon. A day care center is in process of signing a lease for 6,000 square feet to establish an education program for children starting from infancy to 12 years. A Caribbean restaurant is seeking a lease for 2,300 square feet.

Site F – The project is 100% complete. Two bedrooms in the shared housing apartment remains vacant. All other apartments are occupied.

Site H (Pilot Project) – The two condominiums comprising the retail portion of the project have been sold to a sneaker store and a pharmacy, which have also received permits for tenant improvements. The sneaker store will have a Grand Opening on February 14, 2010. However, the owner has not closed on its loan. This is scheduled for early February. The pharmacy recently closed on its loan. Mortgages cannot be obtained for the residential units and the owner seeks to rent these units to prevent default.

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Prospect Avenue Parking Area – Stimulus funds are in hand to develop the linear park along the northern boundary of the parking area.

Prospect Avenue Streetscape Redesign and Reconstruction – The LiRo Group, which is designing the streetscape plan, has completed bid documents for construction. The construction contract of \$5.385 million for the project has been awarded to J. Anthony Enterprises, and Cashin Associates, P.C, will oversee construction for \$600,000. Signs and barricades are in place. Construction is expected to be completed by the summer of 2010.

Community Center – Construction documents are approximately 90% complete. The Town is engaging LiRo as its construction manager on this project.

Upon the motion of Mr. Handy, duly seconded by Mr. Caines, the Executive Director's Report (including Mr. Santamaria's status report) was accepted and approved unanimously.

Mr. Bailey welcomed and congratulated Councilwomen Viviana Russell and thanked her for attending.

Site E - Mr. Gioia made a motion to recommend de-designation of Sheldrake/UNCCRC as developers for this project, said it has taken so long and many changes have been made. The motion was seconded by Mr. Handy and unanimously accepted.

RESOLUTION NO. 1 (2010)

A RESOLUTION RECOMMENDING, SUBJECT TO THE ACCEPTANCE BY THE NORTH HEMPSTEAD TOWN SUPERVISOR, THE DE-DESIGNATION OF A REDEVELOPER FOR THE REDEVELOPMENT OF SITE 'E', IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 11, BLOCK 105, LOTS 9, 13, 14, AND 15, AND SECTION 11, BLOCK 123, LOTS 10, 11, 12, 13, 14, 15, 16, 17, 32, 33, 39, AND 40.

WHEREAS, pursuant to Resolution No. 42 (2004), duly adopted by its members (the "Members") at their meeting held on September 25, 2004, the Town of North Hempstead Community Development Agency (the "Agency"), in conjunction with the Town of North Hempstead (the "Town") and the Nassau County Economic Development Corporation (the "EDC"), issued a request for proposals (the "RFP") in October 2003 for the development of seven sites (the "Sites"), all located in New Cassel, New York, including, without limitation, a Site located at the south side of Prospect Avenue between State and Bond Streets, identified on

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the Nassau County Land and Tax Map as Section 11, Block 124, Lots 10, 11, 12, 13, 14, 15, 16, 17, 32, 33, 39, and 40 (“Site E” or the Premises”); and

WHEREAS, in accordance with the RFP, an advisory panel (the “RFP Advisory Panel”), consisting of representatives of the Agency, the Town, EDC, and other agencies and organizations involved in the implementation of the policies and procedures detailed in the document entitled *Seeking A Shared Vision for New Cassel*, met periodically to review and evaluate the Proposals in accordance with the criteria set forth in the RFP (the “RFP Evaluation Criteria”); and

WHEREAS, pursuant to recommendations made by the RFP Advisory Panel, and following the presentation of certain Proposals to the New Cassel community at a public meeting held on March 10, 2004, members of the Agency (the “Members”), at a special meeting duly held on March 11, 2004, conditionally selected a partnership between the Sheldrake Organization, Inc. and Unified New Cassel Community Revitalization Corporation (the “Redeveloper”) for the redevelopment of Site E pursuant to Resolution No. 24 (2004); and

WHEREAS, the proposal accepted by the Members for the redevelopment of Site E involved the development of a four-story, 78,000 square foot, 78-unit building, with thirty-eight (38) one-bedroom units renting for \$1,085 per month, and forty (40) two-bedroom units renting for \$1,324 per month (the “Original Proposal”); and

WHEREAS, the Redeveloper determined that the Original Proposal cannot be implemented; and

WHEREAS, pursuant to Resolution No. 20 (2006), duly adopted at their meeting held on February 23, 2006, the Members agreed to a modification of the Original Proposal whereby the redevelopment would consist of the construction of 40 condominium units arranged in 20 duplex buildings, with the 36 two-bedroom units and 4 three-bedroom units ranging in price from \$205,000 to \$240,000 (the “Modified Proposal”); and

WHEREAS, the Redeveloper subsequently determined that the Modified Proposal could not be implemented, and recommended that same be modified to provide for the construction of thirty six (36) 3-bedroom single family units, with 12 units aligned along Prospect Avenue, 12 along Bond Street and 12 along State Street (the “Further Modified Proposal”)

WHEREAS, pursuant to Resolution No. 13 (2007), duly adopted at their meeting held on May 27, 2007, the Members adopted the Further Modified Proposal, provided, however,

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that the Redeveloper file plans and permit applications for the development of same with the Town Department of Building Safety, Inspection and Enforcement by July 15, 2007 with a minimum payment of \$ 10,000.00 (the "Revised Proposal"); and

WHEREAS, pursuant to Appeal No. 18380, duly approved on August 15, 2008, the Town Board of Zoning and Appeals issued a Notice of Decision granting variances necessary for the issuance of a permit and subsequent construction of the Revised Proposal; and

WHEREAS, pursuant to Resolution No. 587-2008, duly adopted at their meeting held on October 2, 2008, the Town Board granted site plan approval to the Revised Proposal (the "Site Plan Approval Resolution"); and

WHEREAS, since adoption of the Site Plan Approval Resolution, the Redeveloper has been unable to secure private construction financing for the Revised Proposal, and Nassau County has revoked a commitment of HOME Investment Partnership Program funds which it had made towards the Revised Proposal; and

WHEREAS, with construction yet to commence almost six (6) years since the Redeveloper was conditionally designated to develop Site E, the Members wish to recommend that the Town Supervisor support de-designation of the Redeveloper to redevelop Site E, and agree to the issuance of a new request for proposals for redevelopment of the Premises (the "Recommendation").

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby authorize adoption of the Recommendation; and be it further

RESOLVED, that the Executive Director and any other officer of the Agency is hereby authorized to execute such instruments and documents, and to such other action, as may be necessary to implement the foregoing, including, without limitation, the distribution of a certified copy of this resolution to the Redeveloper and the Town Supervisor.

For Information and Discussion

Mr. Mullings recommended Consent to the Assignment and Assumption of Note and Mortgage of \$8,500.00 given to the late Irja Paulson, 756 Oliver Avenue, New Cassel/Westbury, and to

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her daughter Maria Paulson. The Board requested additional information in order to make a decision.

Mr. Mullings recommended having current homeowners take an Assumption of Note and Mortgage originally granted to the late Marie Bradley, 209 Costar Street, New Cassel/Westbury, to secure a \$10,000 loan. This was based on a memorandum prepared by Jessica Driscoll Esq. of the Cuthbertson Law Firm. The Board agreed to this change, adopting Resolution No. 2 (2010), set forth below.

For Consideration

The following resolutions were considered by the members of the Agency:

RESOLUTION NO. 2 (2010)

**RESOLUTION AUTHORIZING THE ASSIGNMENT AND
MODIFICATION OF TERMS FOR HOME REHABILITATION
ASSISTANCE.**

WHEREAS, on October 7, 1986, the Town of North Hempstead Community Development Agency accepted delivery of a note and mortgage (the "Loan Documents") from Ms. Marie Bradley (the "Borrower"), 209 Costar Street, New Cassel/Westbury, New York, identified on the Nassau County Land and Tax Map as Section 11, Block 42, Lots 57 and 58 (the "Premises"), for the borrowing of up to \$10,000 (the "Loan") to remedy deteriorated conditions with respect to the Premises (the "Project"); and

WHEREAS, pursuant to the Loan Documents, the Loan is due and payable upon demand or upon the sale, transfer, conveyance of leasing of the Premises or upon the death of the Borrower; and

WHEREAS, the Borrower passed away in 1989, and Borrower's estate transferred title to the Premises to Borrower's daughter, Ms. Bernice Toran, and Ms. Toran's husband, Anthony Toran, in 2004, making the Loan due and payable; and

WHEREAS, Agency staff has recommended that the members of the Agency approve the assignment of the Loan Documents to the Mr. and Ms. Toran, and their assumption of the obligations thereunder (the "Loan Modification"); and

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WHEREAS, the Members wish to approve the Loan Modification.

NOW THEREFORE, BE IT

RESOLVED, that the Members hereby approve the Loan Modification; and be it further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Gioia, seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 3 (2010)

A RESOLUTION APPROVING THE AGENCY'S ADMINISTRATIVE BUDGET FOR THE 35TH COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR.

WHEREAS, the Town of North Hempstead Community Development Agency (the "Agency") is responsible for administering, on behalf of the Town of North Hempstead (the "Town"), funding for Town activities undertaken with the support of the funding from the Community Development Program of the Nassau County Urban County Consortium (the "CD Program"); and

WHEREAS, to support programmatic activities undertaken with CD Program funds for the Program Year running from September 1, 2009 through August 31, 2010 (the "35th Program Year"), the Executive Director of the Agency has formulated and is seeking approval of an administrative budget for the 35th Program Year, as set forth in the materials presented at this meeting (the "35th Program Year Administrative Budget"); and

WHEREAS, the members of the Agency (the "Members") wish to approve the 35th Program Year Administrative Budget.

NOW, THEREFORE, BE IT

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RESOLVED, that Members hereby approve the 35th Program Year Administrative Budget; and be it further

RESOLVED, the Executive Director and any officers of the Agency are hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Gioia, seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 4 (2010)

A RESOLUTION AUTHORIZING THE MAKING OF A GRANT TO NEW CASSEL L.L.C.

WHEREAS, pursuant to Resolution No. 25 (2007), duly adopted at a meeting of the members (the “Members”) of the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”) duly held on August 8, 2007, the Agency, is party to a land disposition agreement, dated as of August 9, 2007 (the “LDA”) with New Cassel, LLC (the “Redeveloper”) for the redevelopment of real property located at 821-23 Prospect Avenue, Westbury, New York, identified on the Land and Tax Map as Section 11, Block 104, Lot 237 (the “Premises”) for the construction of a project (the “Project”) condominium complex consisting of 3,589 square feet of retail space, and seven duplex condominium homeownership units spread over part of the first floor and all of the second and third floors (the “Residential Units”), with three-bedroom owner-occupied units (“Owner Units”) on part of the first and all of the second floor and two-bedroom rental units (“Rental Units”) on the third floor; and

WHEREAS, the Redeveloper has completed the Project, but, after twelve (12) months of actively marketing the Residential Units, has been unable to close on the sale of any of same; and

WHEREAS, the Project construction lender, Banco Popular (“Banco”), has extended its loan three times, but has indicated that it does not intend to extend the loan any further; and

WHEREAS, to avoid an event of default under the construction loan during February 2010, the Redeveloper wishes to rent the Owner and Rental Units and obtain a permanent loan (the “Permanent Loan Conversion”); and

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WHEREAS, implementing the Permanent Loan Conversion will result in a Project financing gap of approximately \$1,117,014 (the “Gap”); and

WHEREAS, to partially fund the Gap, Nassau County has agreed to invest an additional \$232,456 in HOME funds in the Project (“County Funding”); and

WHEREAS, to fund the remaining Gap, the Redeveloper has asked the Agency for a grant of up to \$500,000 (the “Grant”), and continues to work with Banco to identify strategies to close the remaining Gap of \$384,558 (the “Gap Closing Strategy”); and

WHEREAS, Agency staff recommends that the Members agree to fund the Grant, conditioned upon the issuing of a commitment for the County Funding and the conclusion of an agreement between the Redeveloper and Banco on the Gap Closing Strategy, and the implementation of same (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Handy, seconded by Mr. Gioia, the resolution was unanimously adopted.

RESOLUTION NO. 5 (2010)

A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS BETWEEN BUDGET ACCOUNTS TO EFFECTUATE A GRANT.

WHEREAS, members (the “Members”) of the Town of North Hempstead Community Development Agency (the “Agency”) have authorized the making of a grant in the sum of \$500,000 (the “Grant”) to fund a financing gap resulting from the rental of 14 residential units

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developed by New Cassel, LLC at 821-23 Prospect Avenue, Westbury, New York, identified on the Land and Tax Map as Section 11, Block 104, Lot 237; and

WHEREAS, to allocate sufficient funds for the Grant, Agency staff has recommended (the “Staff Recommendation”) the following reallocation, among accounts, of Community Development Block Grant (“CDBG”) funds, all of which were originally allocated as 30th Program Year or 34th Program Year funds, as set forth below:

30th Program Year

- \$7,000.49 from PF&I NH30-07 to Disposition NH30-05

34th Program Year

- \$150,000.00 from Acquisition of Real Property NH34-02 to Disposition NH34-03
- \$43,000.00 from PF&I NH34-06 to Disposition NH34-03
- \$30,000.00 from Relocation NH34-07 To Disposition NH34-03
- \$20,000.00 from Demolition and Clearance NH34-04 to Disposition NH34-03

WHEREAS, the members of the Agency (the “Members”) wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director or any officer of the Agency is hereby authorized to execute such documents, and to take such other action as may be necessary to effectuate the foregoing resolution.

Upon the motion of Mr. Handy, seconded by Mr. Gioia, the resolution was unanimously adopted.

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RESOLUTION NO. 6 (2010)

A RESOLUTION AUTHORIZING THE MAKING OF A CONDITIONAL GRANT FOR ARCHITECTURAL AND CONTRACTUAL SERVICES TO IMRAN YAQUB AND TAHIRA PARVEEN, 26 LAKEVILLE DRIVE, NEW HYDE PARK, NEW YORK.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) has received an application from Imran Yaqub and Tahira Parveen (the “Owner”) of 26 Lakeville Drive, New Hyde Park, New York, identified on the Nassau County Land and Tax Map as Section 8, Block 334, Lot 15 (the “Premises”), for Residential Rehabilitation Program (the “Program”) financial assistance for the correction of existing conditions (the “Project”), as more particularly stated in the summary attached hereto (the “Case Summary”); and

WHEREAS, Agency staff has determined that the Owner and the Project meet the eligibility criteria for Program assistance, and qualify for funding in the form of a loan in the maximum sum of \$25,000 secured by a mortgage against the Premises, and which, on terms and conditions established by the Agency, converts to a grant after five (5) years (a “Conditional Grant”); and

WHEREAS, Agency staff has recommended to the members of the Agency (the “Members”) that, based upon the Case Summary, they authorize the making of a Conditional Grant to carry out the Project, and the procurement of an architect for the design of the Project, if required, and a contractor for the undertaking and completion of the Project (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Members wish to authorize and adopt the Staff Recommendation; and it is further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

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Upon the motion of Mr. Handy, seconded by Mr. Gioia, the resolution was unanimously adopted.

RESOLUTION NO. 7 (2010)

A RESOLUTION AUTHORIZING THE MAKING OF A CONDITIONAL GRANT FOR ARCHITECTURAL AND CONTRACTUAL SERVICES TO THREASA LONGMIRE, 184 ELIZABETH STREET, NEW CASSEL, NEW YORK.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) has received an application from Threasa Longmire (the “Owner”) of 184 Elizabeth Street, New Cassel, New York, identified on the Nassau County Land and Tax Map as Section 11, Block 126, Lot 15 (the “Premises”), for Residential Rehabilitation Program (the “Program”) financial assistance for the correction of existing conditions (the “Project”), as more particularly stated in the summary attached hereto (the “Case Summary”); and

WHEREAS, Agency staff has determined that the Owner and the Project meet the eligibility criteria for Program assistance, and qualify for funding in the form of a loan in the maximum sum of \$25,000 secured by a mortgage against the Premises, and which, on terms and conditions established by the Agency, converts to a grant after five (5) years (a “Conditional Grant”); and

WHEREAS, Agency staff has recommended to the members of the Agency (the “Members”) that, based upon the Case Summary, they authorize the making of a Conditional Grant to carry out the Project, and the procurement of an architect for the design of the Project, if required, and a contractor for the undertaking and completion of the Project (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Members wish to authorize and adopt the Staff Recommendation; and it is further

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RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr Handy, seconded by Mr.Gioia, the resolution was unanimously adopted.

RESOLUTION NO. 8 (2010)

A RESOLUTION AUTHORIZING THE MAKING OF A CONDITIONAL GRANT FOR ARCHITECTURAL AND CONTRACTUAL SERVICES TO ERIC AND KAREN BANKS, 148 GARDEN STREET, NEW CASSEL, NEW YORK.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) has received an application from Eric and Karen Banks (the “Owner”) of 148 Garden Street, New Cassel, New York, identified on the Nassau County Land and Tax Map as Section 11, Block 49, Lot 9 (the “Premises”), for Residential Rehabilitation Program (the “Program”) financial assistance for the correction of existing conditions (the “Project”), as more particularly stated in the summary attached hereto (the “Case Summary”); and

WHEREAS, Agency staff has determined that the Owner and the Project meet the eligibility criteria for Program assistance, and qualify for funding in the form of a loan in the maximum sum of \$25,000 secured by a mortgage against the Premises, and which, on terms and conditions established by the Agency, converts to a grant after five (5) years (a “Conditional Grant”); and

WHEREAS, Agency staff has recommended to the members of the Agency (the “Members”) that, based upon the Case Summary, they authorize the making of a Conditional Grant to carry out the Project, and the procurement of a contractor for the undertaking and completion of the Project (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

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RESOLVED, that the Members wish to authorize and adopt the Staff Recommendation; and it is further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Handy, seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 9 (2010)

A RESOLUTION AUTHORIZING THE EXECUTION OF AN ACCESS AGREEMENT.

WHEREAS, the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”) is the owner of real property located at 987 Prospect Avenue, Westbury, New York 11590 identified as Section 11, Block 10, Lot 46 on Nassau County Land and Tax Map (the “Premises”); and

WHEREAS, J. Anthony Enterprises (the “Licensee”) has been engaged by the Town to reconstruct Prospect Avenue in New Cassel/Westbury, New York (the “Project”); and

WHEREAS, the Licensee wishes to execute an agreement for entry and access to the Premises, for a fee of no less than \$400 per month to store materials and equipment to be used in connection with the Project (the “Agreement”); and

WHEREAS, Agency staff has recommended that the Agency authorize execution of the Agreement (the “Staff Recommendation”); and

WHEREAS, the members of the Agency (the “Members”) wish to authorize and adopt the Staff Recommendation.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

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RESOLVED, that the Executive Director of the Agency and any other officer thereof is hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Handy, seconded by Mr. Gioia, the resolution was unanimously adopted.

RESOLUTION NO. 10 (2010)

A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT.

WHEREAS, pursuant to a certain lease agreement (the "Lease"), dated as of September 12, 1987, the Town of North Hempstead (the "Town" or the "Licensor") leased from the County of Nassau (the "County") the building known as the Roslyn Community Center (the "Building"), located at 51 Orchard Street, Roslyn Heights, New York, and identified on the Nassau County Land and Tax Map as Section 7, Block 57, Lots 231 and 232 (the "Property"); and

WHEREAS, Section 2.01 of the Lease contained a provision enabling the Town, upon written notice to the County, to acquire the Property; and

WHEREAS, by letter dated February 18, 2009, the Town exercised the option, and by deed dated April 23, 2009, recorded in the County Clerk's Office on April 29, 2009, in Liber 12497, Pages 641 through 645, acquired title to the Property from the County; and

WHEREAS, the Town of North Hempstead Community Development Agency (the "Agency" or the "Licensee") has occupied, as office space, a portion of the Building under the Lease (the "Licensed Premises"), and continues to need to occupy the Licensed Premises; and

WHEREAS, the Licensor has agreed to enter into a license agreement with the Licensee to grant Licensee a License to occupy the Premises as office space and related uses, for an annual License fee of \$25,000 per year, payable in monthly installments of \$2,083.33 for a period beginning February 1, 2010 and expiring December 31, 2010 (the "License Agreement"); and

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WHEREAS, the members of the Agency (the “Members”) wish to authorize the Agency to execute the License Agreement.

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby authorize the Agency to execute the License Agreement; and be it further

RESOLVED, that the Executive Director of the Agency and any other officer thereof is hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Handy, seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 11 (2010)

A RESOLUTION AUTHORIZING THE EXECUTION OF CONSULTING AGREEMENTS FOR RECORDS INVENTORY SERVICES.

WHEREAS, the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”) is storing approximately forty five (45) boxes of records developed by the Town Comptroller’s Office within the basement of North Hempstead Town Hall, located at 220 Plandome Road, Manhasset, New York (the “Records”); and

WHEREAS, the Agency has been asked to remove the Records from their current location; and

WHEREAS, to implement the foregoing, Agency staff recommends that the Members authorize the engaging of two consultants (the “Consultants”) to inventory the Records (the “Services”), and that the Members allocate up to \$1,500 for to pay the Consultants for the Services (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

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RESOLVED, that the Members authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director and any other officer of the Agency is hereby authorized to execute such documents, and to take such other action as may be necessary to effectuate the foregoing resolution.

Upon the motion of Mr. Handy, seconded by Mr. Caines, the resolution was unanimously adopted.

RESOLUTION NO. 12 (2010)

A RESOLUTION ADOPTING A WORKFORCE VIOLENCE PREVENTION POLICY.

WHEREAS, Section 27-b of the New York State Labor Law (the “Law”) requires that public benefit corporations and other governmental agencies (“Employers”) design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees (the “Program”) and

WHEREAS, for the purposes of the Law, the Town of North Hempstead (the “Town”) Community Development Agency (the “Agency”), being a corporate governmental agency and a public benefit corporation pursuant to New York State General Municipal Law §553 (2) is an Employer, thereby obliging it to design and implement a Program; and

WHEREAS, pursuant to Resolution No. 47 (2009), duly adopted by the members of the Agency (the “Members”) at their meeting held on October 22, 2009, the Agency entered into a contract for professional or technical services, dated as of November 19, 2009, with Public Sector HR Consultants, LLC (the “Consultant”) for the development of a Program for the Agency, including, without limitation, a policy statement regarding same; and

WHEREAS, the Consultant has drafted a Workforce Violence Prevention Policy Statement (the “Policy”); and

WHEREAS, the Members wish to adopt the Policy for the Agency, and to authorize its posting in the Agency workplace as required by Law.

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

Minutes of

REGULAR MEETING

January 28, 2010

7:30 PM

NOW, THEREFORE, BE IT

RESOLVED, that the Members hereby adopt the Policy for the Agency, and authorize its posting in the Agency workplace as required by Law; and be it further

RESOLVED, the Executive Director and any officers of the Agency are hereby authorized to take such action as may be necessary to effectuate the foregoing.

Upon the motion of Mr. Handy, seconded by Mr. Caines, the resolution was unanimously adopted.

Adjournment

Upon the motion of Mr. Bailey, seconded by Mr., the members of the Agency, by unanimous vote, adjourned the meeting at 9:45 p.m.